

**“Marked-Up Copy of Specification”**  
ADENO-ASSOCIATED VIRUS SEROTYPE I NUCLEIC ACID  
SEQUENCES, VECTORS AND HOST CELLS CONTAINING SAME

5    CROSS-REFERENCE TO RELATED APPLICATIONS

This is a continuation of US Patent Application No. 09/807,802, filed  
November 29, 2001, which is a national phase of PCT/US99/25694, filed November  
2, 1999, which claims the benefit of the priority of US Patent Application No.  
60/107,114, filed November 5, 1998.

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STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR  
DEVELOPMENT

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DK47757-06 and PO1 HD32649-04. The US government may have certain rights in  
15    this invention.

BACKGROUND OF THE INVENTION

Field of the Invention

          This invention relates generally to viral vector, and more particularly, to  
20    recombinant viral vectors useful for gene delivery.

Background of the Invention

          Adeno-associated viruses are small, single-stranded DNA viruses which  
require helper virus to facilitate efficient replication [K.I. Berns, *Parvoviridae: the*  
*viruses and their replication*, p. 1007-1041, in F.N. Fields et al., Fundamental  
25    virology, 3rd ed., vol. 2, (Lippencott-Raven Publishers, Philadelphia, PA) (1995)].  
The 4.7 kb genome of AAV is characterized by two inverted terminal repeats (ITR)  
and two open reading frames which encode the Rep proteins and Cap proteins,  
respectively. The Rep reading frame encodes four proteins of molecular weight 78  
kD, 68 kD, 52 kD and 40 kD. These proteins function mainly in regulating AAV  
30    replication and integration of the AAV into a host cell's chromosomes. The Cap  
reading frame encodes three structural proteins in molecular weight 85 kD (VP 1), 72  
kD (VP2) and 61 kD (VP3) [Berns, cited above]. More than 80% of total proteins in  
AAV virion comprise VP3. The two ITRs are the only cis elements essential for

AAV replication, packaging and integration. There are two conformations of AAV ITRs called "flip" and "flop". These differences in conformation originated from the replication model of adeno-associated virus which use the ITR to initiate and re-initiate the replication [R.O. Snyder et al., J. Virol., 67:6096-6104 (1993); K.I. Berns, Microbiological Reviews, 54:316-329 (1990)].

AAVs have been found in many animal species, including primates, canine, fowl and human [F.A. Murphy et al., "The Classification and Nomenclature of Viruses: Sixth Report of the International Committee on Taxonomy of Viruses", Archives of Virology, (Springer-Verlag, Vienna) (1995)]. In addition to five known primate AAVs (AAV-1 to AAV-5), AAV-6, another serotype closely related to AAV-2 and AAV-1 has also been isolated [E. A. Rutledge et al., J. Virol., 72:309-319 (1998)]. Among all known AAV serotypes, AAV-2 is perhaps the most well-characterized serotype, because its infectious clone was the first made [R.J. Samulski et al., Proc. Natl. Acad. Sci. USA, 79:2077-2081 (1982)]. Subsequently, the full sequences for AAV-3A, AAV-3B, AAV-4 and AAV-6 have also been determined [Rutledge, cited above; J.A. Chiorini et al., J. Virol., 71:6823-6833 (1997); S. Muramatsu et al., Virol., 221:208-217 (1996)]. Generally, all AAVs share more than 80% homology in nucleotide sequence.

A number of unique properties make AAV a promising vector for human gene therapy [Muzyczka, Current Topics in Microbiology and Immunology, 158:97-129 (1992)]. Unlike other viral vectors, AAVs have not been shown to be associated with any known human disease and are generally not considered pathogenic. Wild type AAV is capable of integrating into host chromosomes in a site specific manner [R. M. Kotin et al., Proc. Natl. Acad. Sci. USA, 87:2211-2215 (1990)- R.J. Samulski, EMBO J., 10(12):3941-3950 (1991)]. Recombinant AAV vectors can integrate into tissue cultured cells in chromosome 19 if the rep proteins are supplied in *trans* [C. Balague et al., J. Virol., 71:3299-3306 (1997); R. T. Surosky et al., J. Virol., 71:7951-7959 (1997)]. The integrated genomes of AAV have been shown to allow long term gene expression in a number of tissues, including, muscle, liver, and brain [K. J. Fisher, Nature Med., 3(3):306-312 (1997); R. O. Snyder et al., Nature Genetics, 16:270-276 (1997); X. Xiao et al., Experimental Neurology, 144:113-124 (1997); Xiao, J. Virol., 70(11):8098-8108 (1996)].

AAV-2 has been shown to be present in about 80-90% of the human population. Earlier studies showed that neutralizing antibodies for AAV-2 are prevalent [W. P. Parks et al., J. Virol., 2:716-722 (1970)]. The presence of such antibodies may significantly decrease the usefulness of AAV vectors based on AAV-2 despite its other merits. What are needed in the art are vectors characterized by the advantages of AAV-2, including those described above, without the disadvantages, including the presence of neutralizing antibodies.

## SUMMARY OF THE INVENTION

### Summary of the Invention

In one aspect, the invention provides an isolated AAV-1 nucleic acid molecule which is selected from among SEQ ID NO: 1, the strand complementary to SEQ ID NO: 1, and cDNA and RNA sequences complementary to SEQ ID NO: 1 and its complementary strand.

In another aspect, the present invention provides AAV ITR sequences, which include the 5' ITR sequences, nt 1 to 143 of SEQ ID NO: 1; the 3' ITR sequences, nt 4576 to 4718 of SEQ ID NO: 1, and fragments thereof.

In yet another aspect, the present invention provides a recombinant vector comprising an AAV-1 ITR and a selected transgene. Preferably, the vector comprises both the 5' and 3' AAV-1 ITRs between which the selected transgene is located.

In still another aspect, the invention provides a recombinant vector comprising an AAV-1 P5 promoter having the sequence of nt 236 to 299 of SEQ ID NO: 1 or a functional fragment thereof.

In a further aspect, the present invention provides a nucleic acid molecule encoding an AAV-1 rep coding region and an AAV-1 cap coding region.

In still another aspect, the present invention provides a host cell transduced with a recombinant viral vector of the invention. The invention further provides a host cell stably transduced with an AAV-1 P5 promoter of the invention.

In still a further aspect, the present invention provides a pharmaceutical

composition comprising a carrier and a vector of the invention.

In yet another aspect, the present invention provides a method for AAV-- mediated delivery of a transgene to a host involving the step of delivering to a selected host a recombinant viral vector comprising a selected transgene under the control of sequences which direct expression thereof and an adeno-associated virus 1 (AAV-1) virion.

In another aspect, the invention provides a method for in vitro production of a selected gene product using a vector of the invention.

Other aspects and advantages of the invention will be readily apparent to one of skill in the art from the detailed description of the invention.

## BRIEF DESCRIPTION OF THE DRAWINGS

### Brief Description of the Drawings

Figs. 1A-1C illustrate the alignment of nucleotides of AAV-1 [SEQ ID NO: 1], AAV-2 [SEQ ID NO: 18] and AAV-6 [SEQ ID NO: 19]. The alignment was done with MacVector 6.0. The full sequences of AAV-1 are shown in the top line. Nucleotides in AAV-2 and AAV-6 identical to AAV-1 are symbolized by "." and gaps by "-". Some of the conserved features among AAVs are marked in this figure. Note the 3' ITRs of AAV-1 and AAV-6 are shown in different orientations.

Fig. 2 illustrates the predicted secondary structure of AAV-1 ITR. The nucleotides in AAV-2 and AAV-6 are shown in italic and bold respectively.

Fig. 3A illustrates a hypothesis of how AAV-6 arose from the homologous recombination between AAV-1 and AAV-2. The major elements of AAV-1 are indicated in the graph. A region that is shared between AAV-1, AAV-2 and AAV-6 is shown in box with waved lines.

Fig. 3B is a detailed illustration of a 71 bp homologous region among AAV-1, AAV-2 and AAV-6. Nucleotides that differ among these serotypes are indicated by arrows.

Fig. 4A is a bar chart illustrating expression levels of human alpha 1 anti-trypsin ( $\alpha 1$ AT) in serum following delivery of hAAT via recombinant AAV-1 and

recombinant AAV-2 viruses.

Fig. 4B is a bar chart illustrating expression levels of erythropoietin (epo) in serum following delivery of the epo gene via recombinant AAV-1 and recombinant AAV-2 viruses.

5 Fig. 5A is a bar chart illustrating expression levels of  $\alpha$ 1AT in liver following delivery of  $\alpha$ 1AT as described in Example 7.

Fig. 5B is a bar chart demonstrating expression levels of epo in liver following delivery of epo as described in Example 7.

10 Fig. 5C is a bar chart demonstrating neutralizing antibodies (NAB) directed to AAV-1 following delivery of  $\alpha$ 1AT or epo to liver as described in Example 7.

Fig. 5D is a bar chart demonstrating neutralizing antibodies (NAB) directed to AAV-2 following delivery of  $\alpha$ 1AT or epo to liver as described in Example 7.

Fig. 6A is a bar chart illustrating expression levels of  $\alpha$ 1AT in muscle following delivery of  $\alpha$ 1AT as described in Example 7.

15 Fig. 6B is a bar chart demonstrating expression levels of epo in muscle following delivery of epo as described in Example 7.

Fig. 6C is a bar chart demonstrating neutralizing antibodies (NAB) directed to AAV-1 following delivery of  $\alpha$ 1AT or epo to muscle as described in Example 7.

20 Fig. 6D is a bar chart demonstrating neutralizing antibodies (NAB) directed to AAV-2 following delivery of  $\alpha$ 1AT or epo to muscle as described in Example 7.

## DETAILED DESCRIPTION OF THE INVENTION

### Detailed Description of the Invention

The present invention provides novel nucleic acid sequences for an adeno--  
25 associated virus of serotype 1 (AAV-1). Also provided are fragments of these AAV-1 sequences. Among particularly desirable AAV-1 fragments are the inverted terminal repeat sequences (ITRs), rep and cap. Each of these fragments may be readily utilized, e.g., as a cassette, in a variety of vector systems and host cells. Such fragments may be used alone, in combination with other AAV-1 sequences or  
30 fragments, or in combination with elements from other AAV or non-AAV viral

sequences. In one particularly desirable embodiment, a cassette may contain the AAV-1 ITRs of the invention flanking a selected transgene. In another desirable embodiment, a cassette may contain the AAV-1 rep and/or cap proteins, e.g., for use in producing recombinant (rAAV) virus.

Thus, the AAV-1 sequences and fragments thereof are useful in production of rAAV, and are also useful as antisense delivery vectors, gene therapy vectors, or vaccine vectors. The invention further provides nucleic acid molecules, gene delivery vectors, and host cells which contain the AAV-1 sequences of the invention. Also provided a novel methods of gene delivery using AAV vectors.

As described herein, the vectors of the invention containing the AAV-1 capsid proteins of the invention are particularly well suited for use in applications in which the neutralizing antibodies diminish the effectiveness of other AAV serotype based vectors, as well as other viral vectors. The rAAV vectors of the invention are particularly advantageous in rAAV readministration and repeat gene therapy.

15           These and other embodiments and advantages of the invention are described in more detail below. As used throughout this specification and the claims, the term “comprising” is inclusive of other components, elements, integers, steps and the like.

## 20 I. AAV1 Nucleic Acid and Protein Sequences

## I. AAV-1 NUCLEIC ACID AND PROTEIN SEQUENCES

The AAV-1 nucleic acid sequences of the invention include the DNA sequences of SEQ ID NO: 1 (Figs. 1A-1C), which consists of 4718 nucleotides. The AAV-1 nucleic acid sequences of the invention further encompass the strand which is complementary to SEQ ID NO: 1, as well as the RNA and cDNA sequences corresponding to SEQ ID NO: 1 and its complementary strand. Also included in the nucleic acid sequences of the invention are natural variants and engineered modifications of SEQ ID NO: 1 and its complementary strand. Such modifications include, for example, labels which are known in the art, methylation, and substitution of one or more of the naturally occurring nucleotides with an analog.

Further included in this invention are nucleic acid sequences which are greater than 85%, preferably at least about 90%, more preferably at least about 95%, and most preferably at least about 98 - 99% identical or homologous to SEQ ID NO:1.

5           The term “percent sequence identity” or “identical” in the context of nucleic acid sequences refers to the residues in the two sequences which are the same when aligned for maximum correspondence. The length of sequence identity comparison may be over the full-length sequence, or a fragment at least about nine nucleotides, usually at least about 20 - 24 nucleotides, at least about 28 - 32 nucleotides, and  
10           preferably at least about 36 or more nucleotides. There are a number of different algorithms known in the art which can be used to measure nucleotide sequence identity. For instance, polynucleotide sequences can be compared using Fasta, a program in GCG Version 6.1. Fasta provides alignments and percent sequence identity of the regions of the best overlap between the query and search sequences  
15           (Pearson, 1990, herein incorporated by reference). For instance, percent sequence identity between nucleic acid sequences can be determined using Fasta with its default parameters (a word size of 6 and the NOPAM factor for the scoring matrix) as provided in GCG Version 6.1, herein incorporated by reference.

          The term “substantial homology” or “substantial similarity,” when referring  
20           to a nucleic acid or fragment thereof, indicates that, when optimally aligned with appropriate nucleotide insertions or deletions with another nucleic acid (or its complementary strand), there is nucleotide sequence identity in at least about 95 - 99% of the sequence.

          Also included within the invention are fragments of SEQ ID NO: 1, its  
25           complementary strand, cDNA and RNA complementary thereto. Suitable fragments are at least 15 nucleotides in length, and encompass functional fragments which are of biological interest. Certain of these fragments may be identified by reference to Figs. 1A-1C. Examples of particularly desirable functional fragments include the AAV-1 inverted terminal repeat (ITR) sequences of the invention. In contrast to the  
30           145 nt ITRs of AAV-2, AAV-3, and AAV-4, the AAV-1 ITRs have been found to

consist of only 143 nucleotides, yet advantageously are characterized by the T--  
 shaped hairpin structure which is believed to be responsible for the ability of the  
 AAV-2 ITRs to direct site-specific integration. In addition, AAV-1 is unique among  
 other AAV serotypes, in that the 5' and 3' ITRs are identical. The full-length 5' ITR  
 5 sequences of AAV-1 are provided at nucleotides 1-143 of SEQ ID NO: 1 (Fig. 1A)  
 and the full-length 3' ITR sequences of AAV-1 are provided at nt 4576-4718 of SEQ  
 ID NO: 1 (Fig. 1C). One of skill in the art can readily utilize less than the full-length  
 5' and/or 3' ITR sequences for various purposes and may construct modified ITRs  
 using conventional techniques, e.g., as described for AAV-2 ITRs in Samulski et al,  
 10 Cell, 33:135-143 (1983).

Another desirable functional fragment of the AAV-1 genome is the P5  
 promoter of AAV-1 which has sequences unique among AAV P5 promoters, while  
 maintaining critical regulatory elements and functions. This promoter is located  
 within nt 236 - 299 of SEQ ID NO: 1 (Fig. 1A). Other examples of functional  
 15 fragments of interest include the sequences at the junction of the rep/cap, e.g., the  
 sequences spanning nt 2306-2223, as well as larger fragments which encompass this  
 junction which may comprise 50 nucleotides on either side of this junction. Still  
 other examples of functional fragments include the sequences encoding the rep  
 proteins. Rep 78 is located in the region of nt 334 - 2306 of SEQ ID NO: 1; Rep 68  
 20 is located in the region of nt 334-2272, and contains an intron spanning nt 1924-2220  
 of SEQ ID NO: 1. Rep 52 is located in the region of nt 1007 - 2304 of SEQ ID NO:  
 1; rep 40 is located in the region of nt 1007 - 2272, and contains an intron spanning  
 nt 1924-2246 of SEQ ID NO: 1. Also of interest are the sequences encoding the  
 capsid proteins, VP 1 [nt 2223-4431 of SEQ ID NO: 1], VP2 [nt 2634-4432 of SEQ  
 25 ID NO: 1] and VP3 [nt 2829-4432 of SEQ ID NO: 1]. Other fragments of interest  
 may include the AAV-1 P19 sequences, AAV-1 P40 sequences, the rep binding site,  
 and the terminal resolute site (TRS).

The invention further provides the proteins and fragments thereof which are  
 encoded by the AAV-1 nucleic acids of the invention. Particularly desirable proteins  
 30 include the rep and cap proteins, which are encoded by the nucleotide sequences



identified above. These proteins include rep 78 [SEQ ID NO:5], rep 68 [SEQ ID NO:7], rep 52 [SEQ ID NO:9], rep 40 [SEQ ID NO: 11], vp1 [SEQ ID NO: 13], vp2 [SEQ ID NO: 15], and vp3 [SEQ IID NO: 17] and functional fragments thereof while the sequences of the rep and cap proteins have been found to be closely related to those of AAV-6, there are differences in the amino acid sequences (see Table 1 below), as well as differences in the recognition of these proteins by the immune system. However, one of skill in the art may readily select other suitable proteins or protein fragments of biological interest. Suitably, such fragments are at least 8 amino acids in length. However, fragments of other desired lengths may be readily utilized. Such fragments may be produced recombinantly or by other suitable means, e.g., chemical synthesis.

The sequences, proteins, and fragments of the invention may be produced by any suitable means, including recombinant production, chemical synthesis, or other synthetic means. Such production methods are within the knowledge of those of skill in the art and are not a limitation of the present invention.

## II. Viral Vectors

### H. VIRAL VECTORS

In another aspect, the present invention provides vectors which utilize the AAV-1 sequences of the invention, including fragments thereof, for delivery of a heterologous gene or other nucleic acid sequences to a target cell. Suitably, these heterologous sequences (i.e., a transgene) encode a protein or gene product which is capable of being expressed in the target cell. Such a transgene may be constructed in the form of a "minigene". Such a "minigene" includes selected heterologous gene sequences and the other regulatory elements necessary to transcribe the gene and express the gene product in a host cell. Thus, the gene sequences are operatively linked to regulatory components in a manner which permit their transcription. Such components include conventional regulatory elements necessary to drive expression of the transgene in a cell containing the viral vector. The minigene may also contain a selected promoter which is linked to the transgene and located, with other

regulatory elements, within the selected viral sequences of the recombinant vector.

Selection of the promoter is a routine matter and is not a limitation of this invention. Useful promoters may be constitutive promoters or regulated (inducible) promoters, which will enable control of the timing and amount of the transgene to be expressed. For example, desirable promoters include the cytomegalovirus (CMV) immediate early promoter/enhancer [see, e.g., Boshart et al, Cell, 41:521-530 (1985)], the Rous sarcoma virus LTR promoter/enhancer, and the chicken cytoplasmic  $\beta$ -actin promoter [T. A. Kost et al, Nucl. Acids Res., 11(23):8287 (1983)]. Still other desirable promoters are the albumin promoter and an AAV P5 promoter. Optionally, the selected promoter is used in conjunction with a heterologous enhancer, e.g., the  $\beta$ -actin promoter may be used in conjunction with the CMV enhancer. Yet other suitable or desirable promoters and enhancers may be selected by one of skill in the art.

The minigene may also desirably contain nucleic acid sequences heterologous to the viral vector sequences including sequences providing signals required for efficient polyadenylation of the transcript (poly-A or pA) and introns with functional splice donor and acceptor sites. A common poly-A sequence which is employed in the exemplary vectors of this invention is that derived from the papovavirus SV-40. The poly-A sequence generally is inserted in the minigene downstream of the transgene sequences and upstream of the viral vector sequences. A common intron sequence is also derived from SV-40, and is referred to as the SV40 T intron sequence. A minigene of the present invention may also contain such an intron, desirably located between the promoter/enhancer sequence and the transgene. Selection of these and other common vector elements are conventional [see, e.g., Sambrook et al, "Molecular Cloning. A Laboratory Manual", 2d edit., Cold Spring Harbor Laboratory, New York (1989) and references cited therein] and many such sequences are available from commercial and industrial sources as well as from Genbank.

The selection of the transgene is not a limitation of the present invention. Suitable transgenes may be readily selected from among desirable reporter genes,

therapeutic genes, and optionally, genes encoding immunogenic polypeptides. Examples of suitable reporter genes include  $\beta$ -galactosidase ( $\beta$ -gal), an alkaline phosphatase gene, and green fluorescent protein (GFP). Examples of therapeutic genes include, cytokines, growth factors, hormones, and differentiation factors, among others. The transgene may be readily selected by one of skill in the art. See, e.g., WO 98/09657, which identifies other suitable transgenes.

Suitably, the vectors of the invention contain, at a minimum, cassettes which consist of fragments of the AAV-1 sequences and proteins. In one embodiment, a vector of the invention comprises a selected transgene, which is flanked by a 5' ITR and a 3' ITR, at least one of which is an AAV-1 ITR of the invention. Suitably, vectors of the invention may contain a AAV-1 P5 promoter of the invention. In yet another embodiment, a plasmid or vector of the invention contains AAV-1 rep sequences. In still another embodiment, a plasmid or vector of the invention contains at least one of the AAV-1 cap proteins of the invention. Most suitably, these AAV-1-derived vectors are assembled into viral vectors, as described herein.

#### A. AAV Viral Vectors

In one aspect, the present invention provides a recombinant AAV-1 viral vector produced using the AAV-1 capsid proteins of the invention. The packaged rAAV-1 virions of the invention may contain, in addition to a selected minigene, other AAV-1 sequences, or may contain sequences from other AAV serotypes.

Methods of generating rAAV virions are well known and the selection of a suitable method is not a limitation on the present invention. See, e.g., K. Fisher et al, J. Virol., 70:520-532 (1993) and US Patent 5,478,745. In one suitable method, a selected host cell is provided with the AAV sequence encoding a rep protein, the gene encoding the AAV cap protein and with the sequences for packaging and subsequent delivery. Desirably, the method utilizes the sequences encoding the AAV-1 rep and/or cap proteins of the invention.

In one embodiment, the rep/cap genes and the sequences for delivery are supplied by co-transfection of vectors carrying these genes and sequences. In one

currently preferred embodiment, a cis (vector) plasmid, a trans plasmid containing the rep and cap genes, and a plasmid containing the adenovirus helper genes are co--transfected into a suitable cell line, e.g., 293. Alternatively, one or more of these functions may be provided in trans via separate vectors, or may be found in a suitably engineered packaging cell line.

An exemplary cis plasmid will contain, in 5' to 3' order, AAV 5' ITR, the selected transgene, and AAV 3' ITR. In one desirable embodiment, at least one of the AAV ITRs is a 143 nt AAV-1 ITR. However, other AAV serotype ITRs may be readily selected. Suitably, the full-length ITRs are utilized. However, one of skill in the art can readily prepare modified AAV ITRs using conventional techniques. Similarly, methods for construction of such plasmids is well known to those of skill in the art.

A trans plasmid for use in the production of the rAAV-1 virion particle may be prepared according to known techniques. In one desired embodiment, this plasmid contains the rep and cap proteins of AAV-1, or functional fragments thereof. Alternatively, the rep sequences may be from another selected AAV serotype.

The cis and trans plasmid may then be co-transfected with a wild-type helper virus (e.g., Ad2, Ad5, or a herpesvirus), or more desirably, a replication - defective adenovirus, into a selected host cell. Alternatively, the cis and trans plasmid may be co-transfected into a selected host cell together with a transfected plasmid which provides the necessary helper functions. Selection of a suitable host cell is well within the skill of those in the art and include such mammalian cells as 293 cells, HeLa cells, among others.

Alternatively, the cis plasmid and, optionally the trans plasmid, may be transfected into a packaging cell line which provides the remaining helper functions necessary for production of a rAAV containing the desired AAV-1 sequences of the invention. An example of a suitable packaging cell line, where an AAV-2 capsid is desired, is B-50, which stably expresses AAV-2 rep and cap genes

under the control of a homologous P5 promoter. This cell line is characterized by integration into the cellular chromosome of multiple copies (at least 5 copies) of P5-rep-cap gene cassettes in a concatomer form. This B-50 cell line was deposited with the American Type Culture Collection, 10801 University Boulevard, Manassas, Virginia 20110-2209, on September 18, 1997 under Accession No. CRL-12401 pursuant to the provisions of the Budapest Treaty. However, the present invention is not limited as to the selection of the packaging cell line.

Exemplary transducing vectors based on AAV-1 capsid proteins have been tested both *in vivo* and *in vitro*, as described in more detail in Example 4. In these studies, it was demonstrated that recombinant AAV vector with an AAV-1 virion can transduce both mouse liver and muscle. These, and other AAV-1 based gene therapy vectors which may be generated by one of skill in the art are beneficial for gene delivery to selected host cells and gene therapy patients since the neutralization antibodies of AAV-1 present in much of the human population exhibit different patterns from other AAV serotypes and therefore do not neutralize the AAV-1 virions. One of skill in the art may readily prepare other rAAV viral vectors containing the AAV-1 capsid proteins provided herein using a variety of techniques known to those of skill in the art. One may similarly prepare still other rAAV viral vectors containing AAV-1 sequence and AAV capsids of another serotype.

#### B. Other Viral Vectors

One of skill in the art will readily understand that the AAV-1 sequences of the invention can be readily adapted for use in these and other viral vector systems for *in vitro*, *ex vivo* or *in vivo* gene delivery. Particularly well suited for use in such viral vector systems are the AAV-1 ITR sequences, the AAV-1 rep, the AAV-1 cap, and the AAV-1 P5 promoter sequences.

For example, in one desirable embodiment, the AAV-1 ITR sequences of the invention may be used in an expression cassette which includes AAV-1 5' ITR, a non-AAV DNA sequences of interest (e.g., a minigene), and 3' ITR and which lacks functional rep/cap. Such a cassette containing an AAV-1 ITR may be located on a plasmid for subsequent transfection into a desired host cell, such as the cis

plasmid described above. This expression cassette may further be provided with an AAV capsid of a selected serotype to permit infection of a cell or stably transfected into a desired host cell for packaging of rAAV virions. Such an expression cassette may be readily adapted for use in other viral systems, including adenovirus systems and lentivirus systems. Methods of producing Ad/AAV vectors are well known to those of skill in the art. One desirable method is described in PCT/US95/14018. However, the present invention is not limited to any particular method.

Another aspect of the present invention is the novel AAV-1 P5 promoter sequences which are located in the region spanning nt 236 - 299 of SEQ ID NO: 1. This promoter is useful in a variety of viral vectors for driving expression of a desired transgene.

Similarly, one of skill in the art can readily select other fragments of the AAV-1 genome of the invention for use in a variety of vector systems. Such vectors systems may include, e.g., lentiviruses, retroviruses, poxviruses, vaccinia viruses, and adenoviral systems, among others. Selection of these vector systems is not a limitation of the present invention.

#### C. Host Cells And Packaging Cell Lines

In yet another aspect, the present invention provides host cells which may be transiently transfected with AAV-1 nucleic acid sequences of the invention to permit expression of a desired transgene or production of a rAAV particle. For example, a selected host cell may be transfected with the AAV-1 P5 promoter sequences and/or the AAV-1 5' ITR sequences using conventional techniques. Providing AAV helper functions to the transfected cell lines of the invention results in packaging of the rAAV as infectious rAAV particles. Such cell lines may be produced in accordance with known techniques [see, e.g, US Patent No. 5,658,785], making use of the AAV-1 sequences of the invention.

Alternatively, host cells of the invention may be stably transfected with a rAAV expression cassette of the invention, and with copies of AAV-1 rep and cap genes. Suitable parental cell lines include mammalian cell lines and it may be desirable to select host cells from among non-simian mammalian cells. Examples of

suitable parental cell lines include, without limitation, HeLa [ATCC CCL 2], A549 [ATCC Accession No. CCL 185], KB [CCL 17], Detroit [e.g., Detroit 510, CCL 72] and WI38 [CCL 75] cells. These cell lines are all available from the American Type Culture Collection, 10801 University Boulevard, Manassas, Virginia 20110-2209  
5 USA. Other suitable parent cell lines may be obtained from other sources and may be used to construct stable cell lines containing the P5 and/or AAV rep and cap sequences of the invention.

Recombinant vectors generated as described above are useful for delivery of the DNA of interest to cells.

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### III. Methods Of Delivering Genes Via AAV-1 Derived Vectors

#### ~~III. METHODS OF DELIVERING GENES VIA AAV-1 DERIVED VECTORS~~

In another aspect, the present invention provides a method for delivery of a transgene to a host which involves transfecting or infecting a selected host cell with a  
15 recombinant viral vector generated with the AAV-1 sequences (or functional fragments thereof) of the invention. Methods for delivery are well known to those of skill in the art and are not a limitation of the present invention.

In one desirable embodiment, the invention provides a method for AAV--mediated delivery of a transgene to a host. This method involves transfecting or  
20 infecting a selected host cell with a recombinant viral vector containing a selected transgene under the control of sequences which direct expression thereof and AAV-1 capsid proteins.

Optionally, a sample from the host may be first assayed for the presence of antibodies to a selected AAV serotype. A variety of assay formats for detecting  
25 neutralizing antibodies are well known to those of skill in the art. The selection of such an assay is not a limitation of the present invention. See, e.g., Fisher et al, Nature Med., 3(3):306-312 (March 1997) and W. C. Manning et al, Human Gene Therapy, 9:477-485 (March 1, 1998). The results of this assay may be used to determine which AAV vector containing capsid proteins of a particular serotype are  
30 preferred for delivery, e.g., by the absence of neutralizing antibodies specific for that

capsid serotype.

In one aspect of this method, the delivery of vector with AAV-1 capsid proteins may precede or follow delivery of a gene via a vector with a different serotype AAV capsid protein. Thus, gene delivery via rAAV vectors may be used for repeat gene delivery to a selected host cell. Desirably, subsequently administered rAAV vectors carry the same transgene as the first rAAV vector, but the subsequently administered vectors contain capsid proteins of serotypes which differ from the first vector. For example, if a first vector has AAV-2 capsid proteins, subsequently administered vectors may have capsid proteins selected from among the other serotypes, including AAV-1, AAV-3A, AAV-3B, AAV-4 and AAV-6.

Thus, a rAAV-1-derived recombinant viral vector of the invention provides an efficient gene transfer vehicle which can deliver a selected transgene to a selected host cell *in vivo or ex vivo* even where the organism has neutralizing antibodies to one or more AAV serotypes. These compositions are particularly well suited to gene delivery for therapeutic purposes. However, the compositions of the invention may also be useful in immunization. Further, the compositions of the invention may also be used for production of a desired gene product *in vitro*.

The above-described recombinant vectors may be delivered to host cells according to published methods. An AAV viral vector bearing the selected transgene may be administered to a patient, preferably suspended in a biologically compatible solution or pharmaceutically acceptable delivery vehicle. A suitable vehicle includes sterile saline. Other aqueous and non-aqueous isotonic sterile injection solutions and aqueous and non-aqueous sterile suspensions known to be pharmaceutically acceptable carriers and well known to those of skill in the art may be employed for this purpose.

The viral vectors are administered in sufficient amounts to transfect the cells and to provide sufficient levels of gene transfer and expression to provide a therapeutic benefit without undue adverse effects, or with medically acceptable physiological effects, which can be determined by those skilled in the medical arts. Conventional and pharmaceutically acceptable routes of administration include, but



are not limited to, direct delivery to the liver, oral, intranasal, intravenous, intramuscular, subcutaneous, intradermal, and other parental routes of administration. Routes of administration may be combined, if desired.

Dosages of the viral vector will depend primarily on factors such as the condition being treated, the age, weight and health of the patient, and may thus vary among patients. For example, a therapeutically effective human dosage of the viral vector is generally in the range of from about 1 ml to about 100 ml of solution containing concentrations of from about  $1 \times 10^9$  to  $1 \times 10^{16}$  genomes virus vector. A preferred human dosage may be about  $1 \times 10^{13}$  to  $1 \times 10^{16}$  AAV genomes. The dosage will be adjusted to balance the therapeutic benefit against any side effects and such dosages may vary depending upon the therapeutic application for which the recombinant vector is employed. The levels of expression of the transgene can be monitored to determine the frequency of dosage resulting in viral vectors, preferably AAV vectors containing the minigene. Optionally, dosage regimens similar to those described for therapeutic purposes may be utilized for immunization using the compositions of the invention. For *in vitro* production, a desired protein may be obtained from a desired culture following transfection of host cells with a rAAV containing the gene encoding the desired protein and culturing the cell culture under conditions which permits expression. The expressed protein may then be purified and isolated, as desired. Suitable techniques for transfection, cell culturing, purification, and isolation are known to those of skill in the art.

The following examples illustrate several aspects and embodiments of the invention.

#### 25 Example 1 - Generation of Infectious Clone of AAV-1

The replicated form DNA of AAV-1 was extracted from 293 cells that were infected by AAV-1 and wild type adenovirus type 5.

##### A. Cell Culture and Virus

AAV-free 293 cells and 84-31 cells were provided by the human application laboratory of the University of Pennsylvania. These cells were cultured

in Dulbecco's Modified Eagle Medium with 10% fetal bovine serum (Hyclone), penicillin (100 U/ml) and streptomycin at 37°C in a moisturized environment supplied with 5% CO<sub>2</sub>. The 84-31 cell line constitutively expresses adenovirus genes E1a, E1b, E4/ORF6, and has been described previously [K. J. Fisher, J. Virol., 5 70:520-532 (1996)]. AAV-1 (ATCC VR-645) seed stock was purchased from American Type Culture Collection (ATCC, Manassas, VA). AAV viruses were propagated in 293 cells with wild type Ad5 as a helper virus.

#### B. Recombinant AAV Generation

The recombinant AAV viruses were generated by transfection using 10 an adenovirus free method. Briefly, the cis plasmid (with AAV ITR), trans plasmid (with AAV rep gene and cap gene) and helper plasmid (pFΔ13, with essential regions from the adenovirus genome) were simultaneously co-transfected into 293 cells in a ratio of 1:1:2 by calcium phosphate precipitation. The pFΔ13 helper plasmid has an 8 kb deletion in the adenovirus E2B region and has deletions in most of the late genes. 15 This helper plasmid was generated by deleting the RsrII fragment from pFG140 (Microbix, Canada). Typically, 50 µg of DNA (cis:trans:PFΔ13 at ratios of 1:1:2, respectively) was transfected onto a 15 cm tissue culture dish. The cells were harvested 96 hours post-transfection, sonicated and treated with 0.5% sodium deoxycholate (37°C for 10 min). Cell lysates were then subjected to two rounds of a 20 CsCl gradient. Peak fractions containing AAV vector were collected, pooled, and dialyzed against PBS before injecting into animals. To make rAAV virus with AAV-1 virion, the pAV1H or p5E18 (2/1) was used as the *trans* plasmid to provide rep and cap function.

For the generation of rAAV based on AAV-2, p5E18 was used as the 25 *trans* plasmid since it greatly improved the rAAV yield. This plasmid, p5E18(2/2), expresses AAV-2 Rep and Cap and contains a P5 promoter relocated to a position 3' to the Cap gene, thereby minimizing expression of Rep78 and Rep68. The strategy was initially described by Li et al, J. Virol., 71:5236-5243 (1997). P5E18(2/2) was constructed in the following way. The previously described pMMTV-trans vector 30 (i.e., the mouse mammary tumor virus promoter substituted for the P5 promoter in an

AAV-2-based vector) was digested with *Sma*I and *Cla*I, filled in with the Klenow enzyme, and then recircularized with DNA ligase. The resulting construct was digested with *Xba*I, filled in, and ligated to the blunt-ended *Bam*HI-*Xba*I fragment from pCR-p5, constructed in the following way. The P5 promoter of AAV was amplified by PCR and the amplified fragment was subsequently cloned into pCR2.1 (Invitrogen) to yield pCR-P5. The helper plasmid pAV1H was constructed by cloning the *Bfa*I fragment of pAAV-2 into pBluescript II-SK(+) at the *Bco*rV and *Sma*I sites. The 3.0-kb *Xba*I-*Kpn*I fragment from p5E18(2/2), the 2.3-kb *Xba*I-*Kpn*I fragment from pAV1H, and the 1.7-kb *Kpn*I fragment from p5E18(2/2) were incorporated into a separate plasmid P5E18(2/1), which contains AAV-2 Rep, AAV-1 Cap, and the AAV-2 P5 promoter located 3' to the Cap gene. Plasmid p5E18(2/1) produced 10- to 20-fold higher quantities of the vector than pAV1H (i.e.,  $10^{12}$  genomes/50 15-cm<sup>2</sup> plates).

### C. DNA Techniques

Hirt DNA extraction was performed as described in the art with minor modification [R.J. Samulski et al., Cell, 33:135-143 (1983)]. More particularly, Hirt solution without SDS was used instead of using original Hirt solution containing SDS. The amount of SDS present in the original Hirt solution was added after the cells had been fully suspended. To construct AAV-1 infectious clone, the Hirt DNA from AAV-1 infected 293 cells was repaired with Klenow enzyme (New England Biolabs) to ensure the ends were blunt. The treated AAV-1 Hirt DNA was then digested with *Bam*HI and cloned into three vectors, respectively. The internal *Bam*HI was cloned into pBlueScript II-SK+ cut with *Bam*HI to get pAV1-BM. The left and right fragments were cloned into pBlueScript II-SK+ cut with *Bam*HI + EcoRV to obtain pAV1-BL and pAV1-BR, respectively. The AAV sequence in these three plasmids were subsequently assembled into the same vector to get AAV-1 infectious clone pAAV-1. The helper plasmid for recombinant AAV-1 virus generation was constructed by cloning the *Bfa*I fragment of pAAV-1 into pBlueScript II-SK+ at the EcoRV site.

Analysis of the Hirt DNA revealed three bands, a dimer at 9.4 kb, a

monomer at 4.7 kb and single-stranded DNA at 1.7 kb, which correlated to different replication forms of AAV-1. The monomer band was excised from the gel and then digested with *Bam*HI. This resulted in three fragments of 1.1 kb, 0.8 kb and 2.8 kb. This pattern is in accordance with the description by Bantel-schaal and zur Hausen,  
5 Virol., 134(1):52-63 (1984). The 1.1 kb and 2.8 kb *Bam*HI fragments were cloned into pBlueScript-KS(+) at *Bam*HI and EcoRV site. The internal 0.8 kb fragment was cloned into *Bam*HI site of pBlueScript-KS(+).

These three fragments were then subcloned into the same construct to obtain a plasmid (pAAV-1) that contained the full sequence of AAV-1. The pAAV-1  
10 was then tested for its ability to rescue from the plasmid backbone and package infectious virus. The pAAV-1 was then transfected to 293 cells and supplied with adenovirus type as helper at MOI 10. The virus supernatant was used to reinfect 293 cells.

For Southern blot analysis, Hirt DNA was digested with *Dpn*I to  
15 remove bacteria-borne plasmid and probed with internal *Bam*HI fragment of AAV-1. The membrane was then washed at high stringency conditions, which included: twice 30 minutes with 2X SSC, 0.1% SDS at 65°C and twice 30 minutes with 0.1X SSC, 0.1% SDS at 65°C. The membrane was then analyzed by both phosphor image and X-ray autoradiography. The results confirmed that pAAV-1 is indeed an  
20 infectious clone of AAV serotype 1.

### Example 2 - Sequencing Analysis of AAV-1

The entire AAV-1 genome was then determined by automatic sequencing and was found to be 4718 nucleotides in length (Figs. 1A-1C). For sequencing, an ABI  
25 373 automatic sequencer as used to determine the sequences for all plasmids and PCR fragments related to this study using the FS dye chemistry. All sequences were confirmed by sequencing both plus and minus strands. These sequences were also confirmed by sequencing two independent clones of pAV-BM, pAV-BL and pAV-BR. Since the replicated form of AAV-1 DNA served as the template for sequence  
30 determination, these sequences were also confirmed by sequencing a series of PCR

products using original AAV-1 seed stock as a template.

The length of AAV-1 was found to be within the range of the other serotypes: AAV-3 (4726 nucleotides), AAV-4 (4774 nucleotides), AAV-2 (4681 nucleotides), and AAV-6 (4683 nucleotides).

5        The AAV-1 genome exhibited similarities to other serotypes of adeno-associated viruses. Overall, it shares more than 80% identity with other known AAV viruses as determined by the computer program Megalign using default settings [DNASTAR, Madison, WI]. The key features in AAV-2 can also be found in AAV-1. First, AAV-1 has the same type of inverted terminal repeat which is capable of  
10        forming T-shaped hairpin structures, despite the differences at the nucleotide level (Figs. 2 and 3). The sequences of right ITRs and left ITRs of AAV-1 are identical. The AAV TR sequence is subdivided into A, A', B, B', C, C', D and D' [Bern, cited above].

      These AAV ITR sequences are also virtually the same as those found in  
15        AAV-6 right ITR, there being one nucleotide difference in each of A and A' sequence, and the last nucleotide of the D sequence. Second, the AAV-2 rep binding motif [GCTCGCTCGCTCGCTG (SEQ ID NO: 20)] is well conserved. Such motif can also be found in the human chromosome 19 AAV-2 pre-integration region. Finally, non-structural and structural coding regions, and regulatory elements similar  
20        to those of other AAV serotypes also exist in AAV-1 genome.

      Although the overall features of AAV terminal repeats are very much conserved, the total length of the AAV terminal repeat exhibits divergence. The terminal repeat of AAV-1 consists of 143 nucleotides while those of AAV-2, AAV-3, and AAV-4 are about 145 or 146 nucleotides. The loop region of AAV-1 ITR most  
25        closely resembles that of AAV-4 in that it also uses TCT instead of the TTT found in AAV-2 and AAV-3. The possibility of sequencing error was eliminated using restriction enzyme digestion, since these three nucleotides are part of the SacI site (gagctc; nt 69-74 of SEQ ID NO: 1). The p5 promoter region of AAV-1 shows more variations in nucleotide sequences with other AAV serotypes. However, it still  
30        maintains the critical regulatory elements. The two copies of YY1 [See, Fig. 1A-1C]

sites seemed to be preserved in all known AAV serotypes, which have been shown to be involved in regulating AAV gene expression. In AAV-4, there are 56 additional nucleotides inserted between YY1 and E-box/USF site, while in AAV-1, there are 26 additional nucleotides inserted before the E-box/USF site. The p19 promoter, p40 promoter and polyA can also be identified from the AAV-1 genome by analogy to known AAV serotypes, which are also highly conserved.

Thus, the analysis of AAV terminal repeats of various serotypes showed that the A and A' sequence is very much conserved. One of the reasons may be the Rep binding motif (GCTC)<sub>3</sub>GCTG [SEQ ID NO: 20]. These sequences appear to be essential for AAV DNA replication and site-specific integration. The same sequence has also been shown to be preserved in a monkey genome [Samulski, personal communication]. The first 8 nucleotides of the D sequence are also identical in all known AAV serotypes. This is in accordance with the observation of the Srivastava group that only the first 10 nucleotides are essential for AAV packaging [X.S. Wang et al, *J. Virol.*, **71**:3077-3082 (1997); X.S. Wang et al, *J. Virol.*, **71**:1140-1146 (1997)]. The function of the rest of the D sequences still remain unclear. They may be somehow related to their tissue specificities. The variation of nucleotide in B and C sequence may also suggest that the secondary structure of the ITRs is more critical for its biological function, which has been demonstrated in many previous publications.

### Example 3 - Comparison of AAV-1 Sequences

The nucleotide sequences of AAV-1, obtained as described above, were compared with known AAV sequences, including AAV-2, AAV-4 and AAV-6 using DNA Star Megalign. This comparison revealed a stretch of 71 identical nucleotides shared by AAV-1, AAV-2 and AAV-6. See, Figs. 1A-1C.

This comparison further suggested that AAV-6 is a hybrid formed by homologous recombination of AAV-1 and AAV-2. See, Figs. 3A and 3B. These nucleotides divide the AAV-6 genome into two regions. The 5' half of AAV-6 of 522 nucleotides is identical to that of AAV-2 except in 2 positions. The 3' half of

AAV-6 including the majority of the rep gene, complete cap gene and 3' ITR is 98% identical to AAV-1.

Biologically, such recombination may enable AAV-1 to acquire the ability to transmit through the human population. It is also interesting to note that the ITRs of AAV-6 comprise one AAV-1 ITR and one AAV-2 ITR. The replication model of defective parvovirus can maintain this special arrangement. Studies on AAV integration have shown that a majority of AAV integrants carries deletions in at least one of the terminal repeats. These deletions have been shown to be able to be repaired through gene conversion using the other intact terminal repeat as a template.

Therefore, it would be very difficult to maintain AAV-6 as a homogenous population when an integrated copy of AAV-6 is rescued from host cells with helper virus infection. The AAV-6 with two identical AAV-2 ITRs or two identical AAV-1 ITRs should be the dominant variants. The AAV-6 with two AAV-1 ITRs has been observed by Russell's group [Rutledge, cited above (1998)]. So far there is no report on AAV-6 with two AAV-2 ITRs. Acquisition of AAV-2 P5 promoter by AAV-6 may have explained that AAV-6 have been isolated from human origin while AAV-1 with the same virion has not. The regulation of P5 promoter between different species of AAV may be different *in vivo*. This observation suggests the capsid proteins of AAV were not the only determinants for tissue specificity.

Although it is clear that AAV-6 is a hybrid of AAV-1 and AAV-2, AAV-6 has already exhibited divergence from either AAV-1 or AAV-2. There are two nucleotide differences between AAV-6 and AAV-2 in their first 450 nucleotides. There are about 1% differences between AAV-6 and AAV-1 in nucleotide levels from nucleotides 522 to the 3' end. There also exists a quite divergent region (nucleotide 4486-4593) between AAV-6 and AAV-1 (Figs. 1A-1C). This region does not encode any known proteins for AAVs. These differences in nucleotide sequences may suggest that AAV-6 and AAV-1 have gone through some evolution since the recombination took place. Another possible explanation is that there exists another variant of AAV-1 which has yet to be identified. So far, there is no evidence to rule out either possibility. It is still unknown if other hybrids (AAV-2 to AAV-4,

etc.) existed in nature.

The coding region of AAV-1 was deduced by comparison with other known AAV serotypes. Table 1 illustrates the coding region differences between AAV-1 and AAV-6. The amino acid residues are deduced according to AAV-2.

5 With reference to the amino acid position of AAV-1, Table 1 lists the amino acids of AAV-1 which have been changed to the corresponding ones of AAV-6. The amino acids of AAV-1 are shown to the left of the arrow. Reference may be made to SEQ ID NO: 5 of the amino acid sequence of AAV-1 Rep 78 and to SEQ ID NO: 13 for the amino acid sequence of AAV-1 VP1.

10

Table 1

Coding region variations between AAV-1 and AAV-6

Rep protein (Rep78)			Cap protein (VP1)	
Position(s)	Amino acids		Position(s)	Amino acids
28	S→N		129	L→F
191	Q→H		418	E→D
192	H→D		531	E→K
308	E→D		584	F→L
			598	A→V
			642	N→H

15 It was surprising to see that the sequence of the AAV-1 coding region is almost identical to that of AAV-6 from position 452 to the end of coding region (99%). The first 508 nucleotides of AAV-6 have been shown to be identical to those of AAV-2 [Rutledge, cited above (1998)]. Since the components of AAV-6 genome seemed to be AAV-2 left ITR – AAV-2 p5 promoter – AAV-1 coding region –  
 20 AAV-1 right ITR, it was concluded that AAV-6 is a naturally occurred hybrid between AAV-1 and AAV-2.



#### Example 4 - Gene Therapy Vector Based on AAV-1

Recombinant gene transfer vectors based on AAV-1 viruses were constructed by the methods described in Example 1. To produce a hybrid recombinant virus with AAV-1 virion and AAV-2 ITR, the AAV-1 trans plasmid (pAV1H) and the AAV-2 cis-lacZ plasmid (with AAV-2 ITR) were used. The AAV-2 ITR was used in this vector in view of its known ability to direct site-specific integration. Also constructed for use in this experiment was an AAV-1 vector carrying the green fluorescent protein (GFP) marker gene under the control of the immediate early promoter of CMV using pAV1H as the trans plasmid.

##### 10        A.     rAAV-1 Viruses Transfect Host Cells in Vitro

84-31 cells, which are subclones of 293 cells (which express adenovirus E1a, E1b) which stably express E4/ORF5, were infected with rAAV-1 GFP or rAAV-lacZ. High levels of expression of GFP and lacZ was detected in the cultured 84-31 cells. This suggested that rAAV-1 based vector was very similar to AAV-2 based vectors in ability to infect and expression levels.

##### 15        B.     rAAV-1 Viruses Transfect Cells in Vivo

The performance of AAV-1 based vectors was also tested *in vivo*. The rAAV-1 CMV- $\alpha$ 1AT virus was constructed as follows. The EcoRI fragment of pAT85 (ATCC) containing human  $\alpha$ 1-antitrypsin ( $\alpha$ 1AT) cDNA fragment was blunted and cloned into PCR (Promega) at a SmaI site to obtain PCR- $\alpha$ 1AT. The CMV promoter was cloned into PCR- $\alpha$ 1AT at the XbaI site. The Alb- $\alpha$ 1AT expression cassette was removed by XhoI and ClaI and cloned into pAV1H at the XbaI site. This vector plasmid was used to generate AAV-1-CMV- $\alpha$ 1AT virus used in the experiment described below.

25                For screening human antibodies against AAV, purified AAV virus is lysed with Ripa buffer (10 mM Tris pH 8.2, 1% Triton X-100, 1% SDS, 0.15 M NaCl) and separated in 10% SDS-PAGE gel. The heat inactivated human serum was used at a 1 to 1000 dilution in this assay. The rAAV-1 CMV- $\alpha$ 1AT viruses were injected into Rag-1 mice through tail vein injection at different dosages. The concentration of human  $\alpha$ 1-antitrypsin in mouse serum was measured using ELISA.

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The coating antibody is rabbit anti-human human  $\alpha$ 1-antitrypsin (Sigma). The goat-antihuman  $\alpha$ 1-antitrypsin (Sigma) was used as the primary detection antibodies. The sensitivity of this assay is around 0.3 ng/ml to 30 ng/ml. The expression of human  $\alpha$ -antitrypsin in mouse blood can be detected in a very encouraging level. This result is shown in Table 2.

Table 2

## Human Antitrypsin Expressed in Mouse Liver

Amount of virus injected	Week 2 (ng/ml)	Week 4 (ng/ml)
$2 \times 10^{10}$ genomes	214.2	171.4
$1 \times 10^{10}$ genomes	117.8	109.8
$5 \times 10^{10}$ genomes	64.5	67.8
$2.5 \times 10^{10}$ genomes	30.9	58.4

rAAV-1 CMV-lacZ viruses were also injected into the muscle of C57BL6 mice and similar results were obtained. Collectively, these results suggested that AAV-1 based vector would be appropriate for both liver and muscle gene delivery.

Example 5 - Neutralizing Antibodies Against AAV-1

Simple and quantitative assays for neutralizing antibodies (NAB) to AAV-1 and AAV-2 were developed with recombinant vectors. A total of 33 rhesus monkeys and 77 normal human subjects were screened.

1. *Nonhuman Primates*

Wild-caught juvenile rhesus monkeys were purchased from Covance (Alice, Tex.) and LABS of Virginia (Yemassee, SC) and kept in full quarantine. The monkeys weighed approximately 3 to 4 kg. The nonhuman primates used in the Institute for Human Gene Therapy research program are purposefully bred in the United States from specific-pathogen-free closed colonies. All vendors are US Department of Agriculture class A dealers. The rhesus macaques are therefore not infected with important simian pathogens, including the tuberculosis agent, major

simian lentiviruses (simian immunodeficiency virus and simian retroviruses), and cercopithecine herpesvirus. The animals are also free of internal and external parasites. The excellent health status of these premium animals minimized the potential for extraneous variables. For this study, serum was obtained from monkeys prior to initiation of any protocol.

NAB titers were analyzed by assessing the ability of serum antibody to inhibit the transduction of reporter virus expressing green fluorescent protein (GFP) (AAV1-GFP or AAV2-GFP) into 84-31 cells. Various dilutions of antibodies preincubated with reporter virus for 1 hour at 37°C were added to 90% confluent cell cultures. Cells were incubated for 48 hours and the expression of green fluorescent protein was measured by FluoroImaging (Molecular Dynamics). NAB titers were calculated as the highest dilution at which 50% of the cells stained green.

Analysis of NAB in rhesus monkeys showed that 61% of animals tested positive for AAV-1; a minority (24%) has NAB to AAV-2. Over one-third of animals had antibodies to AAV-1 but not AAV-2 (i.e., were monospecific for AAV-1), whereas no animals were positive for AAV-2 without reacting to AAV-1. These data support the hypothesis that AAV-1 is endemic in rhesus monkeys. The presence of true AAV-2 infections in this group of nonhuman primates is less clear, since cross-neutralizing activity of an AAV-1 response to AAV-2 can not be ruled out. It is interesting that there is a linear relationship between AAV-2 NAB and AAV-1 NAB in animals that had both.

## 2. *Humans*

For these neutralization antibody assays, human serum samples were incubated at 56°C for 30 min to inactivate complement and then diluted in DMEM. The virus (rAAV or rAd with either lacZ or GFP) was then mixed with each serum dilution (20X, 400X, 2000X, 4000X, etc.) and incubated for 1 hour at 37°C before applied to 90% confluent cultures of 84-31 cells (for AAV) or HeLa cells (for adenovirus) in 96-well plates. After 60 minutes of incubation at culture condition, 100 µl additional media containing 20% FCS was added to make final culture media containing 10% FCS.

The result is summarized in Table 3.

Table 3

Adenovirus	AAV-1	AAV-2	# of samples	Percentage
-	-	-	41	53.2%
+	-	-	16	20.8%
-	+	-	0	0.0%
-	-	+	2	2.6%
-	+	+	2	2.6%
+	-	+	3	3.9%
+	+	-	0	0.0%
+	+	+	13	16.9%
Total			77	100%

5           The human neutralizing antibodies against these three viruses seemed to be unrelated since the existence of neutralizing antibodies against AAV are not indications for antibodies against adenovirus. However, AAV requires adenovirus as helper virus, in most of the cases, the neutralizing antibodies against AAV correlated with the existence of neutralizing antibodies to adenovirus. Among the 77 human serum samples screened, 41% of the samples can neutralize the infectivity of recombinant adenovirus based on Ad5. 15/77 (19%) of serum samples can neutralize the transduction of rAAV-1 while 20/77 (20%) of the samples inhibit rAAV-2 transduction at 1 to 80 dilutions or higher. All serum samples positive in neutralizing antibodies for AAV-1 in are also positive for AAV-2. However, there are five (6%) rAAV-2 positive samples that failed to neutralize rAAV-1. In samples that are positive for neutralizing antibodies, the titer of antibodies also varied in the positive ones. The results from screening human sera for antibodies against AAVs supported the conclusion that AAV-1 presents the same epitome as that of AAV-2 to interact with cellular receptors since AAV-1 neutralizing human serums can also decrease the

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infectivity of AAV-2. However, the profile of neutralizing antibodies for these AAVs is not identical, there are additional specific receptors for each AAV serotype.

#### Example 6 - Recombinant AAV Viruses Exhibit Tissue Tropism

5           The recombinant AAV-1 vectors of the invention and the recombinant AAV-2 vectors [containing the gene encoding human  $\alpha$ 1-antitrypsin ( $\alpha$ 1AT) or murine erythropoietin (Epo) from a cytomegalovirus-enhanced  $\beta$ -actin promoter (CB)] were evaluated in a direct comparison to equivalent copies of AAV-2 vectors containing the same vector genes.

10           Recombinant viruses with AAV-1 capsids were constructed using the techniques in Example 1. To make rAAV with AAV-1 virions, pAV1H or p5E18 (2/1) was used as the *trans* plasmid to provide Rep and Cap functions. For the generation of the rAAV based on AAV-2, p5E18(2/2) was used as the *trans* plasmid, since it greatly improved the rAAV yield. [Early experiments indicated similar *in*  
15 *vivo* performances of AAV-1 vectors produced with pAV1H and p5E19 (2/1). All subsequent studies used AAV-1 vectors derived from p5E18(2/1) because of the increased yield.]

          Equivalent stocks of the AAV-1 and AAV-2 vectors were injected intramuscularly ( $5 \times 10^{10}$  genomes) or liver via the portal circulation ( $1 \times 10^{11}$   
20 genomes) into immunodeficient mice, and the animals (four groups) were analyzed on day 30 for expression of transgene. See, Figs. 4A and 4B.

          AAV-2 vectors consistently produced 10- to 50-fold more serum erythropoietin or  $\alpha$ 1-antitrypsin when injected into liver compared to muscle. (However, the AAV-1-delivered genes did achieve acceptable expression levels in  
25 the liver.) This result was very different from that for AAV-1 vectors, with which muscle expression was equivalent to or greater than liver expression. In fact, AAV-1 outperformed AAV-2 in muscle when equivalent titers based on genomes were administered.

#### Example 7 - Gene Delivery via rAAV-1

C57BL/6 mice (6- to 8-week old males, Jackson Laboratories) were analyzed for AAV mediated gene transfer to liver following intrasplenic injection of vector (i.e., targeted to liver). A total of  $10^{11}$  genome equivalents of rAAV-1 or rAAV-2 vector were injected into the circulation in 100  $\mu$ l buffered saline. The first vector  
5 contained either an AAV-1 capsid or an AAV-2 capsid and expressed  $\alpha$ 1AT under the control of the chicken  $\beta$ -actin (CB) promoter. Day 28 sera were analyzed for antibodies against AAV-1 or AAV-2 and serum  $\alpha$ 1AT levels were checked. Animals were then injected with an AAV-1 or AAV-2 construct expressing erythropoietin (Epo, also under the control of the CB promoter). One month later sera was analyzed  
10 for serum levels of Epo. The following groups were analyzed (Figs. 5A-5D).

In Group 1, vector 1 was AAV-2 expressing  $\alpha$ 1AT and vector 2 was AAV-2 expressing Epo. Animals generated antibodies against AAV-2 following the first vector administration which prevented the readministration of the AAV-2 based vector. There was no evidence for cross-neutralizing the antibody to AAV-1.

15 In Group 2, vector 1 was AAV-1 expressing  $\alpha$ 1AT while vector 2 was AAV-1 expressing Epo. The first vector administration did result in significant  $\alpha$ 1AT expression at one month associated with antibodies to neutralizing antibodies to AAV-1. The animals were not successfully readministered with the AAV-1 Epo expressing construct.

20 In Group 3, the effectiveness of an AAV-2 vector expressing Epo injected into a naive animal was measured. The animals were injected with PBS and injected with AAV-2 Epo vector at day 28 and analyzed for Epo expression one month later. The neutralizing antibodies were evaluated at day 28 so we did not expect to see anything since they received PBS with the first vector injection. This shows that in  
25 naive animals AAV-2 is very efficient at transferring the Epo gene as demonstrated by high level of serum Epo one month later.

Group 4 was an experiment similar to Group 3 in which the animals originally received PBS for vector 1 and then the AAV-1 expressing Epo construct 28 days later. At the time of vector injection, there obviously were no antibodies to  
30 either AAV-1 or AAV-2. The AAV-1 based vector was capable of generating

significant expression of Epo when measured one month later.

Group 5 is a cross-over experiment where the initial vector is AAV-2 expressing  $\alpha$ 1AT followed by the AAV-1 construct expressing Epo. The animals, as expected, were efficiently infected with the AAV-2 vector expressing  $\alpha$ 1AT as shown by high levels of the protein in blood at 28 days. This was associated with significant neutralizing antibodies to AAV-2. Importantly, the animals were successfully administered AAV-1 following the AAV-2 vector as shown by the presence of Epo in serum 28 days following the second vector administration. At the time of this vector administration, there was high level AAV-2 neutralizing antibodies and very low cross-reaction to AAV-1. The level of Epo was slightly diminished possibly due to a small amount of cross-reactivity. Group 6 was the opposite cross-over experiment in which the initial vector was AAV-1 based, whereas the second experiment was AAV-2 based. The AAV-1 vector did lead to significant gene expression of  $\alpha$ 1AT, which also resulted in high level AAV-1 neutralizing antibody. The animals were very efficiently administered AAV-2 following the initial AAV-1 vector as evidenced by high level Epo.

A substantially identical experiment was performed in muscle in which  $5 \times 10^{10}$  genomes were injected into the tibialis anterior of C57BL/6 mice as a model for muscle directed gene therapy. The results are illustrated in Figs. 6A-6D and are essentially the same as for liver.

In summary, this experiment demonstrates the utility of using an AAV-1 vector in patients who have pre-existing antibodies to AAV-2 or who had initially received an AAV-2 vector and need readministration.

#### 25 Example 8 - Construction of Recombinant Viruses Containing AAV-1 ITRs

This example illustrates the construction of recombinant AAV vectors which contain AAV-1 ITRs of the invention.

An AAV-1 cis plasmid is constructed as follows. A 160 bp Xho-NruI AAV-1 fragment containing the AAV-1 5' ITR is obtained from pAV1-BL. pAV1-BL was generated as described in Example 1. The Xho-NruI fragment is then cloned into a

second pAV1-BL plasmid at an XbaI site to provide the plasmid with two AAV-1 ITRs. The desired transgene is then cloned into the modified pAV-1BL at the NruI and BamHI site, which is located between the AAV-1 ITR sequences. The resulting AAV-1 cis plasmid contains AAV-1 ITRs flanking the transgene and lacks functional AAV-1 rep and cap.

Recombinant AAV is produced by simultaneously transfecting three plasmids into 293 cells. These include the AAV-1 cis plasmid described above; a trans plasmid which provides AAV rep/cap functions and lacks AAV ITRs; and a plasmid providing adenovirus helper functions. The rep and/or cap functions may be provided in trans by AAV-1 or another AAV serotype, depending on the immunity profile of the intended recipient. Alternatively, the rep or cap functions may be provided in cis by AAV-1 or another serotype, again depending on the patient's immunity profile.

In a typical cotransfection, 50 µg of DNA (cis:trans:helper at ratios of 1:1:2, respectively) is transfected onto a 15 cm tissue culture dish. Cells are harvested 96 hours post transfection, sonicated and treated with 0.5% sodium deoxycholate (37° for 10 min). Cell lysates are then subjected to 2-3 rounds of ultracentrifugation in a cesium gradient. Peak fractions containing rAAV are collected, pooled and dialyzed against PBS. A typical yield is  $1 \times 10^{13}$  genomes/ $10^9$  cells.

Using this method, one recombinant virus construct is prepared which contains the AAV-1 ITRs flanking the transgene, with an AAV-1 capsid. Another recombinant virus construct is prepared with contains the AAV-1 ITRs flanking the transgene, with an AAV-2 capsid.



All publications cited in this specification are incorporated herein by reference. While the invention has been described with reference to a particularly preferred embodiments, it will be appreciated that modifications can be made without departing from the spirit of the invention. Such modifications are intended to fall  
5 within the scope of the claims.

What is claimed is:

1. An isolated AAV-1 nucleic acid molecule comprising a sequence selected from the group consisting of:
  - (a) SEQ ID NO: 1;
  - (b) a DNA sequence complementary to SEQ ID NO: 1;
  - (c) cDNA complementary to (a) or (b); and
  - (d) RNA complementary to any of (a) to (c).
2. A nucleic acid molecule comprising an AAV-1 inverted terminal repeat (ITR) sequence selected from the group consisting of:
  - (a) nt 1 to 143 of SEQ ID NO: 1;
  - (b) nt 4576 to 4718 of SEQ ID NO: 1;
  - (c) a nucleic acid sequence complementary to (a) or (b); and
  - (d) a functional fragment of (a), (b), or (c).
3. A recombinant vector comprising a 5' AAV-1 inverted terminal repeat (ITR) and a selected transgene, wherein said ITR has the sequence selected from the group consisting of:
  - (a) nt 1 to 143 of SEQ ID NO: 1;
  - (b) a nucleic acid sequence complementary to (a); and
  - (c) a functional fragment of (a) or (b).
4. The recombinant vector according to claim 3, wherein said vector further comprises a 3' AAV-1 ITR.

5. A recombinant vector comprising a 3' AAV-1 inverted terminal repeat (ITR) and a selected transgene, wherein said ITR has the sequence selected from the group consisting of:

- (a) nt 4576 to 4718 of SEQ ID NO: 1;
- (b) a nucleic acid sequence complementary to (a); and
- (c) a functional fragment of (a) or (b).

6. The recombinant vector according to claim 5, wherein said vector further comprises a 5' AAV-1 ITR.

~~7. The recombinant vector according to any of claims 3-6, wherein said vector further comprises AAV-1 capsid proteins having the sequence of SEQ ID NO: 13, 15 or 17 or functional fragments thereof.~~

~~8. The recombinant vector according to any of claims 3-6, wherein said vector further comprises adenovirus sequences.~~

~~9. A recombinant vector comprising an AAV-1 P5 promoter having the sequence of nt 236 to 299 of SEQ ID NO: 1 or a functional fragment thereof.~~

~~10. A nucleic acid molecule encoding AAV-1 helper functions, said molecule comprising an AAV rep coding region and an AAV cap coding region, wherein said cap coding region comprises at least one member is selected from the group consisting of:~~

- ~~(a) vp1, nt 2223 to 4431 of SEQ ID NO: 1;~~
- ~~(b) vp2, nt 2634 to 4432 of SEQ ID NO: 1; and~~
- ~~(c) vp3, nt 2829 to 4432 of SEQ ID NO: 1.~~

~~11. — A nucleic acid molecule encoding AAV-1 helper functions, said molecule comprising an AAV rep coding region and an AAV cap coding region, wherein said rep coding region comprises an AAV-1 rep coding region comprising at least one member selected from the group consisting of:~~

~~(a) — rep 78, nt 335 to 2304 of SEQ ID NO: 1;~~

~~(b) — rep 68, nt 335 to 2272 of SEQ ID NO: 1 or the cDNA corresponding thereto;~~

~~(c) — rep 52, nt 1007 to 2304 of SEQ ID NO: 1; and~~

~~(d) — rep 40, nt 1007 to 2272 of SEQ ID NO: 1 or the cDNA corresponding thereto.~~

~~12. — A host cell transduced with a recombinant viral vector according to any of claims 3-6.~~

~~13. — A host cell transduced with a nucleic acid molecule according to any of claims 1, 2, 10 or 11.~~

~~14. — A host cell stably transduced with an AAV-1 P5 promoter having the sequence of nt 236 to 299 of SEQ ID NO: 1.~~

~~15. — A pharmaceutical composition comprising a carrier and a virus comprising the vector according to any of claims 3-6.~~

16. A pharmaceutical composition comprising a carrier and a virus comprising the vector according to claim 57.

~~17. — A pharmaceutical composition comprising a carrier and a virus comprising the vector according to claim 8.~~

~~18. A method for AAV-mediated delivery of a transgene comprising the step of delivering to a host cell an AAV virion which comprises:~~

~~(a) a capsid comprising at least one capsid protein encoded by an AAV-1 cap gene; and~~

~~(b) a DNA molecule comprising a transgene under the control of regulatory sequences directing its expression.~~

~~19. A method for AAV-mediated delivery of a transgene to a host comprising the steps of:~~

~~(a) assaying a sample from the host to determine the presence of neutralizing antibodies specific against any serotype of AAV; and~~

~~(b) delivering to the host an AAV virion which comprises:~~

~~(i) a capsid comprising at least one capsid protein encoded by a cap gene of an AAV serotype against which the host has no antibodies as determined in step (a); and~~

~~(ii) a DNA molecule comprising a transgene under the control of regulatory sequences directing its expression.~~

~~20. The method according to claim 19, comprising the additional step of repeating steps (a) and (b).~~

~~21. Use of an AAV virion which comprises a capsid comprising (a) at least one capsid protein encoded by a cap gene of an AAV serotype against which the host has antibodies, and (b) a DNA molecule comprising a transgene operably linked to regulatory sequences directing its expression,~~

~~in the preparation of a medicament for delivery of a transgene to a host, wherein said host has no preexisting neutralizing antibodies against the AAV serotype of said cap gene.~~

~~22. A method for delivery of a transgene comprising the step of delivering to a host cell a recombinant virus comprising a recombinant vector according to any of claims 3-8.~~

823. A method for producing a selected gene product comprising the steps of transfecting a mammalian cell with the molecule according to claim 1 or a functional fragment thereof and culturing said cell under conditions suitable to express said gene product.

9. The recombinant vector according to claim 3, wherein said vector further comprises AAV-1 capsid proteins having the sequence of SEQ ID NO: 13, 15 or 17 or functional fragments thereof.

10. The recombinant vector according to claim 3, wherein said vector further comprises adenovirus sequences.

11. The host cell transduced with a recombinant viral vector according to claim 3.

12. The host cell transduced with a nucleic acid molecule according to claim 1.

13. The host cell transduced with a nucleic acid molecule according to claim 2.

14. The pharmaceutical composition comprising a carrier and a virus comprising the vector according to claim 3.

15. The method for delivery of a transgene comprising the step of delivering to a host cell a recombinant virus comprising a recombinant vector

according to claim 3.

16. A recombinant host cell transformed with a nucleic acid sequence expressing one or more AAV-1 rep proteins selected from among rep78 having the amino acid sequence of SEQ ID NO:7, rep 68 having the amino acid sequence of SEQ ID NO:7, rep 52 having the amino acid sequence of SEQ ID NO:9, and rep 40 having the amino acid sequence of SEQ ID NO:11.

17. A composition comprising a recombinant virus having an AAV-1 capsid comprising an AAV-1 protein selected from among AAV-1 vp1 having the amino acid sequence of SEQ ID No: 13; AAV-1 vp2 having the amino acid sequence of SEQ ID NO: 15 and AAV-1 vp3 having the amino acid sequence of SEQ ID NO: 17 and a heterologous molecule which comprises an AAV 5' inverted terminal repeat sequence (ITR), a transgene, and an AAV 3' ITR.

18. The composition of claim 17 wherein the AAV-1 protein vp1 is encoded by a nucleic acid having at least about 98% identity to nucleotides 2223-4431 of SEQ ID NO:1, as measured by MacVector 6.0.

19. The composition of claim 17 wherein the AAV-1 protein vp2 is encoded by a nucleic acid having at least about 98% identity to nucleotides 2634-4432 of SEQ ID NO:1, as measured by MacVector 6.0.

20. The composition of claim 17 wherein the AAV-1 protein vp3 is encoded by a nucleic acid having at least about 98% identity to nucleotides 2829-4432 of SEQ ID NO:1, as measured by MacVector6.0.

21. The composition of claim 17 wherein the AAV 5' ITR and 3' ITR are of AAV serotype 2.

22. The composition of claim 21 wherein the recombinant virus further comprises a regulatable promoter which directs expression of the transgene.



ABSTRACT OF THE DISCLOSURE

The nucleic acid sequences of adeno-associated virus (AAV) serotype 1 are provided, as are vectors and host cells containing these sequences and functional fragments thereof. Also provided are methods of delivering genes via AAV-1 derived vectors.